

The Government of the Republic of Singapore and the Government of the United States of America, (“the Parties”),

Recognizing their longstanding friendship and important trade and investment relationship;

Recognizing that open and competitive markets are the key drivers of economic efficiency, innovation and wealth creation;

Recognizing the importance of ongoing liberalization of trade in goods and services at the multilateral level;

Aware of the growing importance of trade and investment for the economies of the Asia-Pacific region;

Reaffirming their rights, obligations and undertakings under the Marrakesh Agreement Establishing the World Trade Organization, and other multilateral, regional and bilateral agreements and arrangements to which they are both Parties;

Recognizing that economic development, social development, and environmental protection are interdependent and mutually reinforcing components of sustainable development, and that an open and non-discriminatory multilateral trading system can play a major role in achieving sustainable development;

Reaffirming their commitment to achieving the Asia-Pacific Economic Co-operation goals of free and open trade and investment;

Reaffirming their commitment to securing trade liberalization and an outward-looking approach to trade and investment;

Reaffirming their shared commitment to facilitating bilateral trade through removing or reducing technical, sanitary and phytosanitary barriers to the movement of goods between the Parties;

Desiring to promote competition;

Desiring to promote transparency and to eliminate bribery and corruption in business transactions;

Recognizing that liberalized trade in goods and services will assist the expansion of trade and investment flows, raise the standard of living, and create new employment opportunities in their respective territories;

Desiring to expand trade in services on a mutually advantageous basis, under conditions of transparency and progressive liberalization, with the aim of securing an overall balance of rights and obligations, while recognizing the rights of both Parties to regulate, and to introduce new regulations, giving due respect to national policy objectives;

Reaffirming the importance of pursuing the above in a manner consistent with the protection and enhancement of the environment, including through regional

environmental cooperative activities and implementation of multilateral environmental agreements to which they are both parties;

Affirming their commitment to encourage the accession to this Agreement by other States in order to further the liberalization of trade in goods and services between States;

Have agreed as follows:

CHAPTER 1 : ESTABLISHMENT OF A FREE TRADE AREA AND DEFINITIONS

ARTICLE 1.1 : GENERAL

1. The Parties to this Agreement, consistent with Article XXIV of the General Agreement on Tariffs and Trade 1994 (“GATT 1994”) and Article V of the General Agreement on Trade in Services (“GATS”), hereby establish a free trade area in accordance with the provisions of this Agreement.
2. The Parties reaffirm their existing rights and obligations with respect to each other under existing bilateral and multilateral agreements to which both Parties are party, including the Marrakesh Agreement establishing the World Trade Organization (“WTO Agreement”).
3. This Agreement shall not be construed to derogate from any international legal obligation between the Parties that entitles goods or services, or suppliers of goods or services, to treatment more favorable than that accorded by this Agreement.

ARTICLE 1.2 : GENERAL DEFINITIONS

For purposes of this Agreement, unless otherwise specified:

days means calendar days;

enterprise means any entity constituted or organized under applicable law, whether or not for profit, and whether privately-owned or governmentally-owned, including any corporation, trust, partnership, sole proprietorship, joint venture or other association;

enterprise of a Party means an enterprise constituted or organized under the law of a Party;

goods of a Party means domestic products as these are understood in the GATT 1994 or such goods as the Parties may agree, and includes originating goods of that Party;

measure includes any law, regulation procedure, requirement or practice;

national means a natural person who is a citizen of a Party and any other natural person referred to in Annex 1A;

person means a natural person or enterprise;

person of a Party means a national or an enterprise of a Party;

territory means for a Party the territory of that Party as set out in Annex 1A.

ANNEX 1A**national** means

- (a) with respect to Singapore, any person who is a citizen within the meaning of its Constitution and domestic laws; and
- (b) with respect to the United States, national of the United States as defined in Title III of the Immigration and Nationality Act

territory means

- (a) with respect to Singapore, its land territory, internal waters and territorial sea as well as the maritime zones beyond the territorial sea, including the seabed and subsoil over which the Republic of Singapore exercises sovereign rights or jurisdiction under its national laws and international law for the purpose of exploration and exploitation of the natural resources of such areas.
- (b) with respect to the United States
 - (i) the customs territory of the United States which includes the 50 states, the District of Columbia and Puerto Rico;
 - (ii) the foreign trade zones located in the United States and Puerto Rico, and
 - (iii) any areas beyond the territorial seas of the United States within which, in accordance with international law and its domestic law, the United States may exercise rights with respect to the seabed and subsoil and their natural resources.